

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House  
(317) 232-9855

**FISCAL IMPACT STATEMENT**

**LS 7474**

**BILL NUMBER:** SB 316

**DATE PREPARED:** Jan 1, 2001

**BILL AMENDED:**

**SUBJECT:** Statute of Limitations.

**FISCAL ANALYST:** Mark Goodpaster

**PHONE NUMBER:** 232-9852

**FUNDS AFFECTED:** X GENERAL  
X DEDICATED  
FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** This bill raises the statute of limitations to ten years for Class B, Class C, and Class D felonies where DNA evidence is available and identification is an evidentiary issue.

**Effective Date:** July 1, 2001.

**Explanation of State Expenditures:** If convictions occur due to these new prosecutions, more offenders may be incarcerated. The average expenditure to house an adult offender was \$20,700 in FY 1999. Individual facility expenditures ranged from \$14,936 to \$37,807.

The range in sentencing is shown below:

Felony Class	Fixed Term	Minimum Term	Maximum Term
B	10 years	6 years	20 years
C	4 years	2 years	8 years
D	1.5 years	6 months or reduction to Class A Misdemeanor	3 years

If biological evidence of a crime is available, the Indiana State Police Crime Laboratory would analyze the samples for the law enforcement agency or the prosecuting attorney. Forensic scientists at the State Police Lab would also testify in court concerning the validity of the DNA analyses that they perform.

**Explanation of State Revenues:** If additional fines and court fees are collected, then additional revenue would be deposited in both the Common School Fund and the State General Fund. Criminal fines are

deposited in the Common School Fund. The maximum fine for all felonies is \$10,000. For court fees, 70% of the \$120 court fee that is imposed on criminal defendants when a guilty verdict is entered is deposited in the State General Fund.

**Explanation of Local Expenditures:** The costs associated with this bill will depend on how often evidence concerning unsolved criminal cases becomes available and also how often prosecuting attorneys decide to prosecute these cases. The criminal defendant may also wish to have evidence preserved from a crime scene analyzed by a private laboratory. The costs of this analysis would either be paid by the defendant or by the county if the defendant is indigent.

The costs of prosecuting a criminal case and conducting a criminal trial are paid from county general funds. If a criminal defendant is indigent, the county pays for the costs of criminal defense, either by assigning the case to a public defender or to a private counsel.

**Explanation of Local Revenues:** For court fees, 30% of revenue collected in the \$120 court fee that is imposed in criminal cases where a guilty verdict is entered is deposited in the county and municipal general funds.

**State Agencies Affected:** Indiana State Police.

**Local Agencies Affected:** Trial Courts, Prosecuting Attorneys.

**Information Sources:** Steve Johnson, Indiana Prosecuting Attorneys Council; Eric Lawrence, Director of Forensic Analysis, Indiana State Police, 1999 Indiana State Police Annual Report.